

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WARREN D. CROZIER, for minor
A.C.; and PAULA M. CROZIER, for
minor A.C.;

Plaintiffs,

vs.

WESTSIDE COMMUNITY SCHOOL
DISTRICT, WESTSIDE MIDDLE
SCHOOL, ELIZABETH MEYERS,
English Teacher; RUSSELL OLSEN,
Principal Westside Middle School;
ENID SCHONEWISE, Assistant
Superintendent; and BLANE
MCCANN, Superintendent;

Defendants.

8:18CV541

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiffs' Motion for Leave to Appeal in Forma Pauperis. ([Filing No. 11](#).) Plaintiffs filed a Notice of Appeal ([filing no. 10](#)) on February 8, 2019. Plaintiff appeals from the court's Memorandum and Order and Judgment dated January 17, 2019 (filing nos. [8](#) & [9](#)), in which the court dismissed this matter without prejudice.

As set forth in [Federal Rule of Appellate Procedure 24\(a\)\(3\)](#):

(a) Leave to Proceed in Forma Pauperis . . .

(3) Prior Approval. A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on

appeal in forma pauperis without further authorization, unless:

(A) the district court--before or after the notice of appeal is filed--certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding . .
. .

The court finds that because Plaintiffs proceeded IFP in the district court, they may now proceed on appeal in forma pauperis without further authorization.

IT IS THEREFORE ORDERED that Plaintiffs' Motion for Leave to Appeal in Forma Pauperis ([filing no. 11](#)) is granted.

Dated this 12th day of February, 2019.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge